


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit 2023-0189</p>
<p>In the Matter of the Application of</p> <p>ADIRONDACK MT LAND, LLC Permittee</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 577 and 9 NYCRR Part 578</p>	<p>Date Issued: January 17, 2024</p>
	<p>To the County Clerk: Please index this permit in the grantor index under the following names: 1. Adirondack Mt Land, LLC</p>

SUMMARY AND AUTHORIZATION

This permit authorizes a two-lot subdivision in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Bellmont, Franklin County.

This authorization shall expire unless recorded in the Franklin County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the Franklin County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

PROJECT SITE

The project site is a 296.88±-acre parcel of land located on Wolf Pond Road in the Town of Bellmont, Franklin County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Parcels 234-1-7.1, 234-1-12, 234-1-13, and 249-2-1.1, and is described in a deed from MWF Adirondacks, LLC to Adirondack Mt. Land, LLC, dated June 4, 2021, and recorded June 10, 2021 in the Franklin County Clerk's Office under Instrument Number 2021-3027.

The project site contains shoreline on the Salmon River and is partially located within the designated Salmon River Recreational River area. The project site also contains wetlands associated with the Salmon River corridor. Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a two-lot subdivision to create a vacant 155.87±-acre parcel west of the Salmon River (Lot 1) and a vacant 141.01±-acre parcel east of the Salmon River (Lot 2), with the subdivision line running along the center of the Salmon River.

The subdivision is shown on a subdivision plan (Survey) titled "Map of Survey Prepared for: Adirondack Mt Land LLC Wolf Pond Road," prepared by Sheppard Land Surveying, dated June 20, 2023, and received by the Agency on September 28, 2023.

A reduced-scale copy of the Survey is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

Pursuant to Adirondack Park Agency regulations at 9 NYCRR Part 577, a permit is required from the Adirondack Park Agency prior to any subdivision of Rural Use lands located within any designated recreational river area in the Adirondack Park.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The project shall not be undertaken until this permit has been recorded in the Franklin County Clerk's Office.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project. Copies of this permit and the Survey shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the

permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.

3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, Wild, Scenic and Recreational Rivers System Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2023-0189, issued January 17, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Survey. Any subdivision of the project site not depicted on the Survey shall require prior written Agency authorization.
6. The undertaking of any new land use or development on the project site within one-quarter mile of the Salmon River shall require a new or amended permit. Construction of any single family dwelling, other principal building, or hunting and fishing cabin on the project site shall require a new or amended permit.
7. The undertaking of any activity involving wetlands shall also require a new or amended permit.
8. Pursuant to the Adirondack Park Agency Act and Agency regulations implementing the Wild, Scenic and Recreational Rivers System Act, new structures are prohibited within 150 feet, measured horizontally, of the mean high water mark of the Salmon River.

Docks and boathouses as defined under 9 NYCRR § 570.3 are excepted from this requirement. Fences, poles, lean-tos, and bridges are also excepted from this requirement, except that no fence, pole, lean-to, or bridge greater than 100 square feet in size may be located within 75 feet of the mean high water mark.
9. There shall be no boathouses on the project site.
10. Prior to undertaking construction of any dock on the project site, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
11. There shall be no more than 18 principal buildings located on Lot 1 and no more than 17 principal buildings located on Lot 2. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

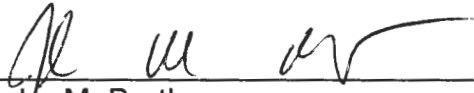
CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, the Wild, Scenic and Recreational Rivers System Act and 9 NYCRR Part 577, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- e. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state;
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values;
- h. will be consistent with the purposes and policies of the Wild, Scenic and Recreational Rivers System Act;
- i. will comply with the restrictions and standards of 9 NYCRR § 577.6; and
- j. will not cause an undue adverse impact upon the natural, scenic, aesthetic, ecological, botanical, fish and wildlife, historic, cultural, archeological, scientific, recreational or open space resources of the river area, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived therefrom.

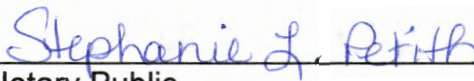
PERMIT issued this 17th day
of January, 2024.

ADIRONDACK PARK AGENCY

BY: 
John M. Burth
Environmental Program Specialist 3 (EPS3)

STATE OF NEW YORK
COUNTY OF ESSEX

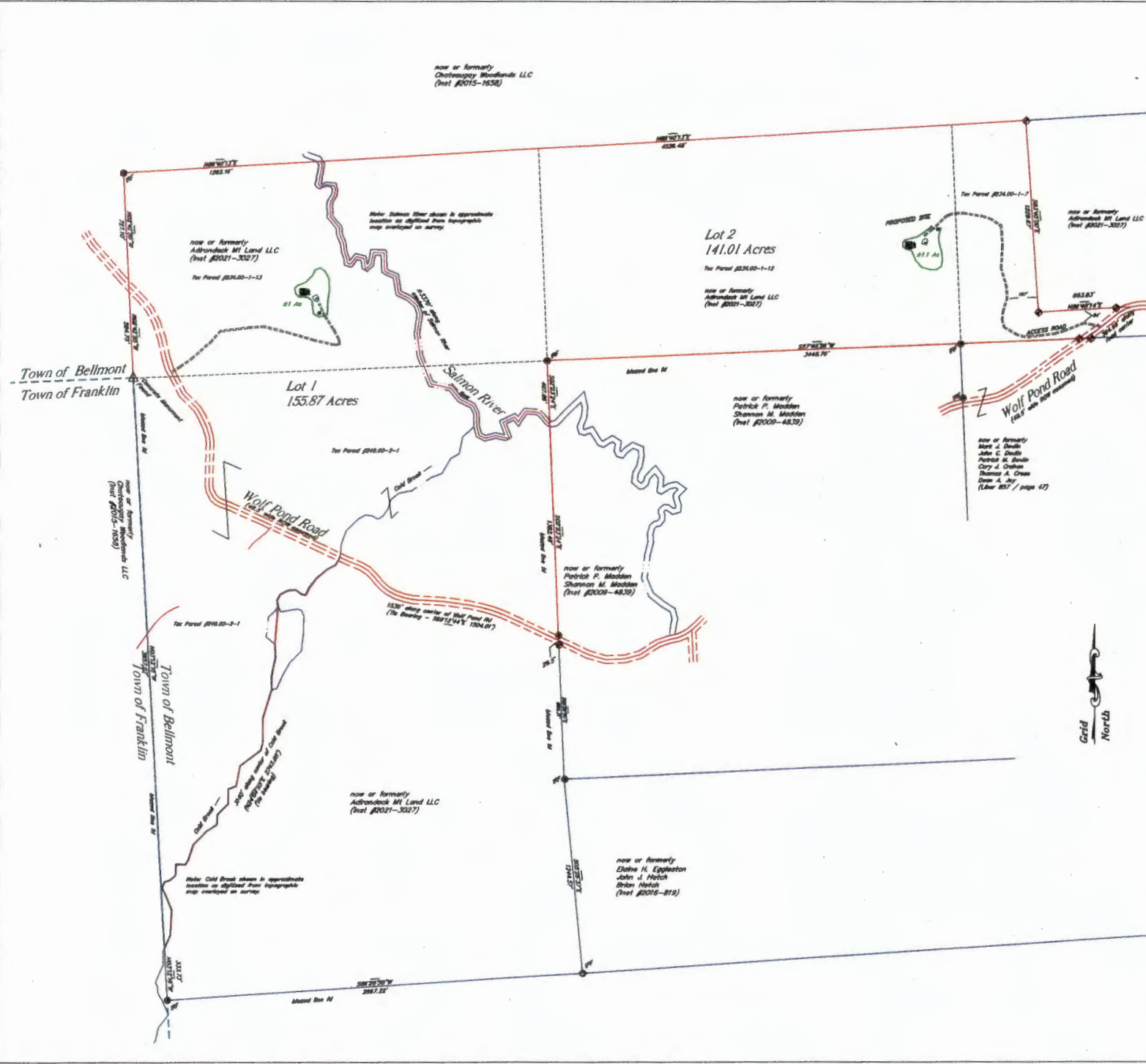
On the 17th day of January in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025

Adirondack Park Agency
RECEIVED
 Date: September 28, 2023

Adirondack Park Agency
FINAL
 P2023-0189



Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7206, sub-division 2, of the New York State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies.
 The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements exist or are shown, the improvements are not covered by this certificate.
 This survey was prepared without benefit of examination of an up to date Abstract of Title.

- LEGEND**
- CENTER OF ROAD
 - RIGHT-OF-WAY BOUNDARY
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EDGE OF BLDG. EAVES
 - INTERIOR PROPERTY LINE
 - STAKE/CORNER/SPOT
 - FENCELINE
 - STONE WALL
 - UTILITY LINE AND POLE
 - FOUND IRON ROD
 - FOUND ROCK PIPE
 - SET IRON ROD
 - (N) NED RECORD
 - (M) MEASURED
 - CONCRETE HIGHWAY MONUMENT



I certify that I am a Land Surveyor Licensed by the State of New York and that this survey was performed by me in accordance with the Code of Practice adopted by The New York State Association of Professional Land Surveyors and is true and complete as shown.

1. Herein shown Parcel A being a portion of premises conveyed to XXXXX by deed dated XXX, and recorded 1000.

MAP OF SURVEY PREPARED FOR:

**Adirondack Mt Land LLC
 Wolf Pond Road**

SITUATE IN:
 TOWN OF BELMONT
 COUNTY OF ST. LAWRENCE
 STATE OF NEW YORK

DATE: 06/20/2023 SCALE: 1 inch = 400 feet
 TAX MAP D # 06 (NOTED) FILE # 2023-030

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**SHEPPARD
 LAND SURVEYS**

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